

SIKKIM



GOVERNMENT

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**GOVERNMENT OF SIKKIM
LABOUR DEPARTMENT**

No. 05/DL

Dated: 11.10.2021

NOTIFICATION

In exercise of the powers conferred by Section 35 of the Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021 (11 of 2021), the State Government hereby makes the following rules, namely:-

CHAPTER I

Short title and Commencement	1	(1)	These rules may be called the Sikkim Labour (Regulation of Employment and Conditions of Service) Rules, 2021.
		(2)	They shall come into force on the date of their publication in the Official Gazette.
Definitions	2	(1)	In these rules, unless the subject or context otherwise requires,-
		(a)	"Act" means the Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021.
		(b)	"Appellate Authority" means the Secretary of the Labour Department.
		(c)	"Authority" means Registering Officer or Licensing Officer.
		(d)	"Form" means a form appended to these rules.
		(e)	"Licensing Officer" means Licensing Officer as defined in section 11 of the Act.
		(f)	"Registering Officer" means Registering Officer as defined in section 3 of the Act
		(g)	"Secretary" means the Secretary to Government of Sikkim in the Labour Department.
		(h)	"Section" means section of the Act.
		(2)	All other words and expressions used in these rules but not defined herein shall have the same meanings respectively assigned to them in the Act.

CHAPTER II

REGISTRATION

Manner of making application for registration of establishment	3	(1)	The application for registration of an establishment shall be made in duplicate in Form I to the Registering Officer of the area in which the establishment sought to be registered is located.
		(2)	The application shall be accompanied by a bank receipt or online payment showing payment of the fees for the registration of the establishment as specified in rule 25 (1)
		(3)	The application shall be either personally delivered to the Registering Officer or sent to him by registered post.
		(4)	On receipt of the application, the Registering Officer shall, after noting thereon the date of receipt by him of the application, give an acknowledgement to the applicant
Issue of certificate of registration	4	(1)	Where the Registering Officer registers the establishment, he shall issue to the principal employer a certificate of registration in Form II.
		(2)	The Registering Officer shall maintain a register in Form III showing the particulars of the establishment in relation to which certificates of registration are issued by him
		(3)	If, in relation to an establishment, there is any change in the particulars specified in the certificate of registration, the principal employer of the establishment shall intimate the Registration Officer, within 30 (thirty) days from the date when such change takes place, and the reasons for such change.
Manner of making application for registration of Service Provider/ Sub-Service Provider	5	(1)	The application for registration of Service Provider or Sub-Service Provider shall be made in duplicate in Form IV to the Registering Officer of the area in which the establishment seeking to be registered is located.
		(2)	Every application for registration of Service Provider or Sub-Service Provider under sub-rule (1) shall be accompanied by a certificate issued by the Principal Employer or Employer or Owner of Establishment in Form V to the effect that he or she undertakes to comply with the provisions of the Act, and the rules made thereunder so far as they are applicable to him or her in respect of the recruitment or employment of the workers.
		(3)	The application shall be accompanied by a bank receipt or online payment showing payment of the fees for the registration of the Service Provider or Sub- Service Provider as specified in rule 25 (2).

		(4)	The application shall be either personally delivered to the Registering Officer or sent to him by registered post.
		(5)	On receipt of the application, the Registering Officer shall, after recording the date of receipt of the application, give an acknowledgement to the applicant.
Issue of certificate of registration	6	(1)	Where the Registering Officer registers the Service Provider or Sub-Service Provider a certificate of registration in Form VI shall be issued to them.
		(2)	The Registering Officer shall maintain a register or record in Form VII showing the particulars of the establishment in relation to which certificates of registration are issued by him.
		(3)	If, in relation to Service Provider or Sub-Service Provider, there is any change in the particulars specified in the certificate of registration, the Service Provider or Sub-Service Provider shall intimate the Registration Officer, within 30 (thirty) days from the date when such change takes place and the reasons for such change.
Circumstances in which application for registration may be rejected	7	(1)	If any application for registration is not complete in all respects, the Registering Officer shall require the principal employer or Service Provider or Sub-Service Provider to amend the application so as to make it complete in all respects.
		(2)	If the Principal Employer or Service Provider or Sub-Service Provider, on being required by Registering Officer to amend his or her application for registration omits or fails to do so within 30 (Thirty) days, the Registering Officer shall reject the application for registration.
Amendment of certificate of registration.	8	(1)	Where, on receipt of the intimation referred to in sub-rule (3) of rule 4 and sub rule (3) of rule 6, if the Registering Officer is satisfied that there has occurred a change in the particulars of the establishment or Service Provider or Sub-Service Provider, as entered in the register in Form III or VII, he or she shall amend the said register and record therein the change thus occurred: Provided that no such amendment shall affect anything done or any action taken or any right, obligation or liability acquired or incurred before such amendment: Provided further that the Registering Officer shall not carry out any amendment in the register in Form III or VII unless the appropriate fees have been deposited by the Principal Employer/Service Provider or Sub-Service Provider as specified in rule 25.
Manner of making application for registration of worker.	9	(1)	The application referred to in section 4 and 5 of the Act shall be made in duplicate, in Form VIII accompanied by all the necessary documents as mentioned in the application form to the Registering Officer.

		(2)	The application referred to in Section 6 of the Act shall be made in duplicate in Form IX accompanied by all the necessary documents as mentioned in the application form to the Registering Officer.
		(3)	The application referred to in sub-rule (1) and (2) shall be accompanied by a Bank Receipt showing payment of fees
		(4)	Every application referred to in sub-rule (1) and (2) shall be either personally delivered to the Registering Officer or sent to him by registered post
		(5)	On receipt of the application, the Registering Officer, shall after recording the date of receipt by him of the application, give an acknowledgement to the applicant.
Issue of Registration Card/ Unique Identity Card	10	(1)	The Registration Card granted to the worker under Section 6 shall be in Unique Identity Card No. in Form X.
		(2)	The Registering Officer shall maintain a register in Form XI showing the Particulars and passport size photograph of each worker duly attested by Registering Officer.
Circumstances in which application may be rejected for registration	11	(1)	If any application for Registration is not complete in all respect or the details are not furnished completely as required in the forms appended for the purpose, the Registering Officer shall return the application so as to make it complete in all respects within 30 (Thirty) days.
		(2)	If the applicant, on being required by the Registering Officer to amend his or her application for Registration, omits or fails to do so within the prescribed period, the Registering Officer shall reject the application for registration.
Amendment of Registration Card..	12	(1)	If, in relation to worker and place of work, there is any change in particulars specified in the Registration Card, the Principal Employer or Service Provider or Sub-Service Provider or Owner of the establishment or worker shall intimate to the Registering Officer, within fifteen (15) days from the date of such change taking place and the reasons for such change in Form XI.
		(2)	Where, on receipt of the intimation of changes referred to in sub-rule (1), if the Registering Officer is satisfied that there has occurred a change in the particulars in relation to worker and place of work or establishments, as entered in Form XI , he or she shall amend the said register accordingly. Provided the Registering Officer shall not carry out any amendment in the register in Form XI and Registration Card or Unique Identity Card of worker in Form X unless the appropriate fees have been

			deposited by Principal Employer or Service Provider, Sub-Service Provider or Owner of the establishment or Worker as the case may be.
		(3)	Where the application for such amendment is refused, the Registering Officer shall record the reasons for such refusal and communicate the same to the applicant within a period of 15 (fifteen) days.
Matters to be taken into account while receiving an application	13	(1)	While receiving an application the Registering Officer shall take the following matters into account, namely:-whether the applicant:-
		(a)	is a minor and has not attained the age of 14 years,,
		(b)	is of unsound mind and stands so declared by a competent Court, or
		(c)	is an undercharged insolvent, or
		(d)	has been convicted at any time during the period of 5 (five) years immediately preceding the date of application, for an offence which, in the opinion of the State Government, involves moral turpitude.
		(2)	Whether the prescribed fees have been deposited at the rates specified in rule 25.
Process of Application	14		On receipt of the application, the authority shall scrutinize the application and on being satisfied about all the requirements, may enter the details in the register but if the authority finds the application is not complete in all respect, may not enter the details in the register except recording application incomplete indicating the ground for being categorized as such but in all cases whether an application is complete or otherwise, Registration Card or Unique Identity Card may be issued to the applicant in terms of Rule 10.
Terms and Conditions of Registration Card..	15	(1)	Every Registration Card or Identity Card granted under sub-rule (1) of Rule 10 shall be subject to the following conditions, namely:-
		(a)	The Registration Card or Identity Card shall be non-transferable.
		(b)	The Registration Card or Identity Card of individual worker granted shall be valid upto the end of Financial Year for which it is granted.
		(c)	The application for renewal shall be submitted to the Registering Officer not less than 15 (fifteen) days before

				the date of expiry of the Registration Card or Unique Identity Card as the case may be.
			(d)	Save as provided in these rules the fees paid for grant and renewal of Registration Card or Unique Identity Card and other prescribed fees shall be non-refundable
			(e)	The Registration Card or Unique Identity Card shall be surrendered in the office of the Registering Officer after completion of work or project or leaves Sikkim on vacation or forever, as the case may be.
			(f)	The loss of Registration Card or Unique Identity Card must be reported to Police Station and the Registering Officer within a period of 15 (fifteen) days.
			(g)	The worker should abide by all instructions issued by the Department of Labour.
			(h)	The worker should produce original copy of Registration Card or Unique Identity Card whenever required by Labour Inspector and other Officers above the rank of Inspector of the Labour Department at Check-posts while entering and exiting the State
			(i)	Every worker shall be entitled to benefits, facilities, protective clothing, wage and other facilities as per the existing law.
			(j)	If a worker works without being absent during the period of 6 (six) days consecutively in a week, he or she shall be given 1 (one) paid holiday either on Sunday or any other holidays.
			(k)	Normal working hours of the workers shall be 8 (eight) hours a day.
			(l)	The possession of Registration Card or Unique Identity Card, shall not confer any individual the right to claim of being an ordinary resident of the State.
			(m)	The Porters should wear GREEN Color shirt with Token Identity number (Registration Card's Number) in red colour background with black colour having the size of 2 inches by 5 inches, as prescribed in Form XB
Renewal of Registration Card/ Unique Identity Card.	16	(1)		Every Principal Employer or Employer or Service Provider or Sub-Service Provider or Owner of Establishments or worker may apply to the Registering Officer for renewal of Registration Card or Unique Identity Card.
		(2)		The application for renewal of Registration Card or Unique Identity Card shall be submitted to the Registering Officer not less than 15 (fifteen) days before the date of expiry in Form XII in duplicate.

		(3)		<p>The fees chargeable for renewal of Registration Card or Unique Identity Card shall be same as paid for the initial registration:</p> <p>Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fine of Rs. 10/- per day in excess of the fee ordinarily payable for the registration shall be payable for such renewal;</p>
				<p>Provided further that in case where the Registering Officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the applicant, he or she may reduce or remit as he or she deems fit for the payment of such excess fine.</p>
Period for renewal of registration Card/Unique Identity Card.	17			<p>Every Registration Card or Unique Identity Card renewed under rule 16 shall be valid upto the end of financial year for which it is granted.</p>
Duplicate Registration Card	18			<p>Where Registration Card or Unique Identity Card granted or renewed has been lost, defaced or accidentally destroyed, a duplicate card thereof may be granted on payment of fees as prescribed under rule 25.</p>

CHAPTER III

LICENSING OF ESTABLISHMENT AND SERVICE PROVIDER

Application for a licence	19	(1)		<p>Every application by Establishment or Service Provider for employing workers under section 12 shall be made, in Form XIII to the Licensing Officer having jurisdiction in relation to the area wherein the establishment is situated.</p>
		(2)		<p>Every such application shall be either personally delivered to the Licensing Officer concerned or sent to him by registered post.</p>
		(3)		<p>On receipt of the application referred to in sub-rule (1) the Licensing Officer concerned shall after recording the date of receipt of the application, issue an acknowledgement to the applicant.</p>
		(4)		<p>Every application referred to in sub-rule (1) shall also be accompanied by the receipt obtained as required by rule 20.</p>
Matters to be taken into account in granting or refusing a licence	20	(1)		<p>In granting or refusing to grant a licence, the Licensing Officer shall take the following matters into account, namely;</p>

			(a)	Whether the applicant- (i) is a minor; or (ii) is of unsound mind and stands so declared by a competent court, or (iii) is an undischarged insolvent, or (iv) has been convicted at any time during the period of five years immediately preceding the date of application, for an offence which, in the opinion of the State Government, involves moral turpitude.
			(b)	Whether the fees for the application have been deposited at the rates specified in rule 25.
Refusal to issue licence: -	21	(1)		On receipt of the application from the Establishment or Service Provide or Sub-Service Provider, the Licensing Officer shall investigate or cause investigation to be made to satisfy himself or herself about the correctness of the fact and particulars furnished in such application and the eligibility of the applicant for a licence.
		(2)	(a)	Where the Licensing Officer is of the opinion that the licence should not be issued, he or she shall after affording reasonable opportunity to the applicant to be heard, make an order rejecting the application.
			(b)	The order shall record the reasons for the refusal and shall be communicated to the applicant.
Forms, terms and conditions of licence	22	(1)	(a)	Every license issued under section 12 shall be in Form XIV
			(b)	The Licensing Officer shall maintain a register or record in Form XV showing the Particulars of License issued duly attested by Licensing Officer.
		(2)		Every licence granted under section 12 or renewed under rule 24 shall be subject to the following conditions, namely:-
			(a)	the number of workers recruited or employed as worker in the establishment shall not, on any day exceed the maximum number specified in the Licence;
			(b)	the rates of wages payable to the worker by the Service Provider or Sub – Service Provider shall not be less than the rates prescribed under the minimum Wages Act, 1948 or the rates fixed by the State Government, as the case may be, for such employment and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed;
			(c)	Save as provided in these rules, fees paid for the issue, or, as the case may be, for renewal of licence shall be non refundable;
			(d)	The licence shall be non-transferable;

		(e)	Every worker shall be entitled to allowances, benefits, facilities provided under the Act and prescribed under these rules;
		(f)	No female worker shall be employed by any Service Providers Sub – Service Provider or Owner of Establishment before 6 a.m. or after 7. p.m. against her will. Provided that the employer ensures safe and secured working conditions within and outside the working premises including transport facilities beyond the normal working hours
		(g)	the Service Provider Sub or Service Provider shall notify any change in the number of workers or the conditions of work to the licensing officer;
		(h)	the Service Providers Sub or Service Provider shall comply with all the provisions of the Act and the rules;
		(i)	a copy of the valid licence shall be displayed prominently at the premises where the workers are employed.
Updation of terms and conditions of the licence	23	(1)	A licence issued under section 12 or renewed under rule 24 may, for good and sufficient reasons, be updated by the licensing officer with due approval of the State Government.
		(2)	The Service Provider who desires to have the Licence updated shall submit to the Licensing Officer an application stating the nature of updation and reasons thereof.
Renewal of licence	24	(1)	Every Establishment or Service Provider or Sub – Service Provider may apply to the licensing officer for renewal of the licence.
		(2)	The application shall be in Form XVI in duplicate and shall be made not less than 30 (thirty) days before the date on which the licence expires.
		(3)	The fees chargeable for renewal of the licence shall be the same as for initial grant of License. Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fine of Rs.50/ per day in excess of the fee ordinarily payable for the licence shall be payable for such renewal; Provided further that in case where the Licensing Officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the establishment or Service Provider or Sub – Service Provider, he or she may reduce or remit the payment of such fine.
		(4)	Every licence renewed under this rule shall remain in force up to the end of financial year for which it is granted.

		(5)		Copy of Work Order or valid Agreement or Letter of Intent issued or drawn with the Establishment or Principal Employer or Employer or Owner of Establishment shall be submitted to the Licensing Officer at the time of renewal of licence.
Payment of fees	25	(1)		Fees to be paid for the registration of establishment shall be specified as below:-
				Upto 100 workers Rs.10,000.
				From 101 to 300 workers Rs.20,000.
				From 301 to 500 workers Rs.30,000.
				From 501 to 700 workers Rs.40,000.
				From 701 to 1000 workers Rs.50,000.
				From 1001 and above workers Rs.60,000.
		(2)		Fees to be paid for the registration of Service Provider or Sub Service Providers shall be as below:-
				Upto 50 workers Rs.1,000.
				From 51 to 100 workers Rs.2,000.
				From 101 to 200 workers Rs.3,000.
				From 201 to 300 workers Rs.4,000.
				From 301 to 400 workers Rs.5,000.
				From 401 to 500 workers Rs.6,000.
				From 501 to 700 workers Rs.7,000.
				From 701 to 1000 workers Rs.8,000.
				From 1001 and above workers Rs.10,000.
		(3)		The fees to be paid for the Registration or Identity Card of Workers shall be as below:-
			(a)	Registration of workers/ individual workers Rs. 200/-
			(b)	Duplicate copy of Registration Rs. 200/-
			(c)	Unique Identity card Rs.200/-
			(d)	Token Number Rs. 200/-
		(4)		Fees to be paid for the grant of licence under section 12 shall be as specified below:
			(a)	Number of workers not exceeding 20 - Rs. 500.00
			(b)	exceeds 20 but does not exceed 50 - Rs. 1000.00
			(c)	exceeds 50 but does not exceed 100 - Rs. 1500.00
			(d)	exceeds 100 but does not exceed 200 - Rs. 2000.00
			(e)	exceeds 200 but does not exceed 400 - Rs. 4000.00
			(f)	exceeds 400 but does not exceed 750 - Rs. 5000.00
			(g)	exceeds 750 but does not exceed 1000 - Rs. 7500.00
			(h)	exceeds 1000 Rs. 10,000.00

		(5)	a)	Fees for appeal to the Appellate Authority shall be Rs. 100/-
			(b)	Fees for obtaining certified copies of the order of Registering or Licensing Officer and Appellate Authority, shall be Rs. 5/- per copy
		(6)		Every fee referred under these rules shall be credited under the Revenue Head "0230 Labour & Employment other receipts".
		(7)		The registration, renewal and other fees are subject to change by way of Notification by the Government after the interval of every 5 (five) years.

CHAPTER IV

DUTIES AND OBLIGATION OF PRINCIPAL EMPLOYER OR EMPLOYER OR SERVICE PROVIDER OR SUB-SERVICE PROVIDER OR OWNERS OF ESTABLISHMENT OR OF INDEPENDENT INDIVIDUAL WORKERS.

<i>Duties and Functions of Principal Employer/ Employer/Owners of Establishments.</i>	26	(1)		The Principal Employer or Employer or Owner of establishment shall submit monthly returns to the Labour Department in Form XVII by 10 th day of every month.
		(2)	(a)	The Principal Employer or Employer or Owner of establishment shall ensure provision of suitable and adequate medical facilities with nursing staff and ambulance, out-door treatment to the worker free of cost in respect of any ailment from which the worker may suffer during his employment in the establishment or work place or to meet any preventive measure against epidemic or any virus infection. Whenever any medicine is purchased by a worker from the market on the prescription issued by any Doctor provided by the Principal Employer or Employer or Owner of Establishment, as the case may be, or any registered medical practitioner, the cost of such medicine shall be reimbursed by the Service Provider or Sub-Service Provider to the worker concerned within a period of seven days from the date of submission of the bill by the worker. The same shall not be applicable to the workers registered under Employees State Insurance Corporation.
			(b)	In the event of a worker suffering from any ailment requiring hospitalization during his employment in establishment or work place all the expenditures including transportation shall be borne by the Principal Employer or Employer or Owner of establishment or Service Provider or Sub-Service Provider.

		(c)	<p>Every Principal Employer or Employer or Owner of establishment or Service Provider or Sub-Service Provider shall provide and maintain First – Aid Boxes with following equipments and make it readily available to the workers during all working hours;</p> <p>(i) 6 small sterilized dressings;</p> <p>(ii) 3 medium size sterilized dressings;</p> <p>(iii) 3 large size sterilized dressings;</p> <p>(iv) 3 large sterilized burn dressings;</p> <p>(v) 1 (30 ml) bottle containing a two percent alcoholic solution of Iodine;</p> <p>(vi) 1 (30 ml) bottle containing Sal volatile having the dose and mode of administration indicate on the label;</p> <p>(vii) 1 snake- bite lancet;</p> <p>(viii) 1 (30 gms) bottle of potassium permanganate crystals;</p> <p>(ix) 1 pairs scissors;</p> <p>(x) 1 copy of the first-aid leaflet issued by the Director-General, Factory Advisory Service and Labour Institutes, Government of India;</p> <p>(xi) A bottle containing 100 tablets (each of 5 grains) aspirin;</p> <p>(xii) Ointment for burns;</p> <p>(xiii) A bottle of suitable surgical antiseptic solution;</p> <p>The persons in charge of the First – Aid Box shall be a person trained in First-aid treatment.</p>
Duties and function of Service Provider/ Sub-Service Provider	27	(1)	The Service Provider or Sub-Service Provider shall:-
		(a)	furnish such particulars in Form XVIII to the specified authority within 15 (fifteen) days where any change occurs in any of the particulars so furnished.
		(b)	furnish the list of workers to the Registering Officer who have left the State with a copy to the concerned area Labour Inspector in Form XIX
		(c)	furnish in respect of every labourer who ceases to be employed, a monthly return in Form XX to the specified authority that all the wages and other dues payable to the workers have been paid.
		(d)	issue to every worker, a Pass book affixed with a passport size photograph of the worker with other details in Form XXI .

		(e)	(i)	There shall be Grievance Redressal Committee consisting equal number of members representing the employers and the workers constituted by the Principal Employer with the representatives of management, Service Provider, workers of different sections nominated by workers and one independent person nominated by Labour Department.
			(ii)	The Grievance Redressal Committee shall meet on quarterly basis or as and when required on case to case basis and submit the minutes of meeting to the Labour Department in prescribed Form XXII.
			(iii)	Any worker who is aggrieved by the decision of the of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee, within 30 (thirty) days of the receipt of the application, may file an application to the Secretary, Labour Department, Government of Sikkim.
			(iv)	During the course of redressal of grievances in the Labour Department, the workers shall not resort to strike and if they resort to strikes then that shall be declared as illegal Strike and an action shall be taken against them as per the Court of Law.
Duties and function of individual workers	28	(1)		The individual worker shall apply for Registration in Form IX
		(2)		The workers shall charge for his or her services as per the prescribed rate of wages as notified under the Minimum Wages Act, 1948 from time to time. Any workers found to be charging beyond the prescribed rate shall be penalized as per the provision of the Act.
		(3)		The individual worker shall furnish such particulars to the Registering Officer within 15 (fifteen) days where any change occurs in any of the particulars so furnished in Form XI .
		(4)		The Workers desirous of leaving the State forever shall surrender his or her Registration Card to the Registering Officer with a copy to the concerned area Labour Inspector in Form XIX
Other facilities	29	(1)		The workers shall be entitled for 10 (ten) days Casual Leave in a year.
		(2)		The workers shall be entitled for the following paid holidays in a year:- 26 th January - Republic Day 1 st May - May Day. 16 th May - State Day.

			15 th . August - Independence Day 2 nd . October - Gandhi Jayanti 5 Days - Festival Holidays at the option of the workers.
		(3)	The Female workers shall be entitled for 6 (six) months maternity leave with full wage.

CHAPTER V
INSPECTION AND ENFORCEMENT

Qualification , power and duties of Inspector	30		No person shall be appointed to be an Inspector under the Act, or having been so appointed, shall continue to hold office, if he has acquired directly or indirectly by himself or by any partner, any share or interest in any establishment or work place to which the Act applies in the area for which he is to be or has been appointed:
			Provided that nothing in this shall apply:-
		(1)	to any person who has been permitted by the authority competent to appoint him or in any name of any member of his family living with him or dependent on him, any share or interest in any registered Co-operative Bank or Co-operative Society or in any Public Limited Company; or
		(2)	to any person who acquires by inheritance any share or interest in an any firm or business but who is not a working partner therein.
		(3) (a)	The Inspector shall seize or take copies of such register, record of wages or notices or particulars of worker or portion thereof as he may consider relevant for an offence under sub clause (iv) of clause (a) of sub- section (2) of Section 21 of the Act in seizure memo as prescribed in Form XXIII .
		(b)	The seized record shall be produced without delay before a Judicial Magistrate who may give directions as to the temporary custody as he thinks fit.
		(c)	If no prosecution is initiated for contravention of the provisions of the Act and Rules within a period of six months from the date of seizure, the seized items shall be handed over to the persons from whom they were seized in Delivery Memo in Form XXIV .
		(4)	The Inspector may take photographs, video clips as he may consider necessary for the purpose of any examination or enquiry under the Act or the rules.
		(5)	An Inspector may, within the local limits for which he or she is appointed issue show- cause notice or warning to Employer or Principal Employer or Service Provider or

				Sub-Service Provider or Owner of establishment regarding the safety, health, or welfare of workers provided under the Act or Rules.
		(6)		An Inspector may, within the local limits for which he is appointed, file in a Court of Judicial Magistrate having jurisdiction, a complaint or other proceeding relating to an offence under the Act and these rules.
Power of Registering and Licensing Officer	31	(1)		The Registering Officer, Licensing Officer and Superior Officers may exercise all the powers of an Inspector.
		(2)		Prohibition order:-
			(a)	If it appears to the Registering Officer, Licensing Officer and Superior Officers that any site or place at which any work is being carried on, is in such condition that it is dangerous to life, safety or health of workers or the general public he may, in writing serve on the Employer or Principal Employer or Service Provider Sub- Service Provider or Owner of establishments of workers or Site-in Charge of site or place, an order prohibiting any work at such Site or place until measures have been taken to remove the cause of the danger to his satisfaction.
			(b)	The Registering officer, Licensing Officer and Superior Officers serving an order under clause (a) shall endorse a copy to the Secretary to the Government, Department of Labour.
			(c)	Such prohibition order shall be complied with by the employer forthwith from the date of the order.
			(d)	<p>Any person aggrieved by an order under clause (a), may, within 15 (fifteen) days from the date on which the order is communicated to him, may prefer an appeal to the Secretary to the Government, Department of Labour, who shall, after giving the appellant opportunity of being heard, dispose of the appeal as expeditiously as possible:</p> <p>Provided that the Secretary to the Government, Department of Labour, may entertain the appeal after the expiry of the said period of 15 (fifteen) days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time;</p> <p>Provided further that the prohibiting, shall be complied with, pending the decision of the Secretary to the Government, Department of Labour, or the Minister- in – Charge, Department of Labour; Provided also that, if such order is by the Secretary to the Government, Department of Labour, the appeal lies to the Minister-in-charge, Department of Labour.</p>

CHAPTER VI
REGISTERS AND RECORDS

Attendance register	32			Every Principal Employer or Employer or Service Provider or Sub-Service Provider or Owner of Establishment shall be bound to maintain the Attendance Register of the workers
Payment register	33			Every Employer or Service Provider or Sub-Service Provider shall be bound to maintain the payment Register of workers.
Register of advance	34			Advance payment of wages should be maintained in Advance Register.
Register of overtime	35			Overtime work done should be separately maintained in the Register of Overtime.
Register of deduction	36			Deduction made from the wages of workers by special or general order of the State Government or permissible under the Payment of Wages Act, 1936, shall be maintained in the Deduction Register.
Medical expenses register	37			Medical expenses incurred on workers (free of cost) should be maintained in the Medical Expenses Register.
Display of an abstract of rules	38			Every Employer or Service Provider or Sub-Service Provider shall display in the notice board, the abstract of the Act and the Rules in English and in the local language spoken by the majority of workers in such form as approved by the Government of Sikkim, Department of Labour.
Notices	39			Notices showing the rates of wages, hours of work, wage periods, date of payment of wages, name and address of Inspector having jurisdiction, shall be displayed in English and in the local language understood by the majority of workers in conspicuous places at the establishment and the work site by the employer or service provider or Sub – Service Provider as the case may be.
Submission of half- yearly returns	40			Every Employer or Service Provider or Sub-Service Provider or Owner of establishments shall send half-yearly returns (both in hard and soft copy) in Form XXV so as to reach the Registering Officer and Licensing Officer concerned within 30 (thirty) days from the day of closing of the half year.
Power to call for information	41	(1)		The Secretary or the Registering Officer, Licensing Officer, Superior Officers or the Inspector or any other

			authority under the Act shall have the power to call for any information or statistics in relation to workers from any Principal Employer or Employer or Service Provider or Sub-Service Provider or Owner of establishments at any time by an order in writing.
		(2)	Any person called upon to furnish information under sub-rule (1) shall be legally bound to do so within the period as indicated in the order failing which he or she shall be liable for contravention of the provisions of the Act.
Power of relaxation	42		Notwithstanding anything contained herein above, the State Government, in respect of matter requiring special consideration arising out of historical background or any other convention or in a case or class of cases required in the interest of justice, may relax any provision of these Rules in the public interest, and may provide for compliance of such requirement as may be considered expedient.

MISS. NAMRATA THAPA, SCS,
SECRETARY,
DEPARTMENT OF LABOUR,
GOVERNMENT OF SIKKIM,
GANGTOK.
F.NO.GoS/DL/230/ADM/2020-21.

FORM I

(see sub-rule (1) of rule 3)

Application for registration of establishment employing workmen.

1. Name and location of the establishment.
2. Postal address of the establishment.
3. Full name and address of the principal employer (Furnish father's or husbands name in the case of individuals).
4. Names and addresses of the directors or particular partners (in case of companies and firms.)
5. Full name and address of the Manager or person responsible for the supervision and control of the establishment.
6. Nature of work carried on in the establishment.
7. Particulars of service providers and workers.
 - (a) Names and addresses of service providers or sub-service provider.
 - (b) Nature of work for which workers are to be recruited or are employed.
 - (c) Maximum number of workers to be employed on any day through each service providers or sub-service provider.
 - (d) Establishment date and commencement of work under each service Providers or sub-service provider.
 - (e) Estimated date of termination of employment of workers under each service providers or sub-service provider.
8. Particulars of crossed demand draft (Name of the Bank, Amount, Number and Date).

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Principal employer
Seal and Stamp

Office of the Registering Officer.

Date of receipt of application

FORM II
(see sub-rule (1) of rule 4)

Certificate of Registration
(FOR ESTABLISHMENT)

Regd.No.

Date.....

DEPARTMENT OF LABOUR
GOVERNMENT OF SIKKIM
Office of the Registering Officer

A certificate of registration containing the following particulars is hereby granted under section 4 of the Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021 and the rules made thereunder to...

1. Nature of work carried on in the establishment.
2. Names and addresses of service providers or sub-service provider.
3. Nature of work for which workers are to be employed or are employed.
4. Maximum number of workers to be employed on any day through each service providers or sub-service provider.
5. Other particulars relevant to the employment of workers.

Signature of Registering Officer with seal

FORM III**(see rub-rule (2) of rule 4)****REGISTER/RECORD OF ESTABLISHMENTS**

Sl.No.	Registration No. and date	Name and address of the establishment registered	Name of the Principal Employer and his address	Type of business trade, industry manufacture or occupation which, is carried on in the establishment	Maximum No of workers directly employed on any day
1	2	3	4	5	6

Particulars of service providers or sub-service provider. and Workers.

Name and address of service providers or sub-service provider.	Nature of work for which workers are to be recruited or are employed	Maximum No. of workers employed on any day through a service providers or sub-service provider.	Probable duration of employment of workers	Remarks
7	8	9	10	11

FORM IV

(see sub-rule (1) of rule 5)

Application for registration of Service Provider/Sub-service Provider employing workers.

1. Name and location of the establishment.
2. Postal address of the establishment.
3. Full name and address of the principal employer (Furnish father's or husbands name in the case of individuals).
4. Names and addresses of the directors/particular partners (in case of companies and firms.)
5. Full name and address of the Manager or person responsible for the supervision and control of the establishment.
6. Nature of work carried on in the establishment.
7. Particulars of service providers or sub-service provider and workers.
 - (a) Names and addresses of service providers or sub-service provider.
 - (b) Nature of work for which workers are to be recruited or are employed.
 - (c) Maximum number of workers to be employed on any day through each service providers or sub-service provider.
 - (d) Establishment date and commencement of work under each service providers or sub-service provider.
 - (e) Estimated date of termination of employment of workers under each service providers or sub-service provider.
8. Particulars of crossed demand draft (Name of the Bank, Amount, Number and Date).

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Service providers/Sub-service provider.
Seal and Stamp

Acknowledgement Slip.

Date of receipt of application

Office of the Registering Officer.

FORM V

(see sub-rule (2) of rule 5)

Form of Certificate by Principal Employer

Certified that I have engaged the applicant (name of the service providers or sub-service provider)_____ as a service providers or sub-service provider in my establishment. I undertake to be bound by all the provisions of the Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021 and the Sikkim Labour (Regulation of Employment and Conditions of Service) Rules, 2021 so far as the provisions are applicable to me in respect of the employment of workers by the applicant in my establishment.

Place

Date

Signature of Principal employer
Name and Address of Establishmet

FORM VI

(see sub-rule(1) of rule 6)

Certificate of Registration

(FOR SERVICE PROVIDER OR SUB-SERVICE PROVIDER)

Regd.No.

Date.....

DEPARTMENT OF LABOUR

GOVERNMENT OF SIKKIM

Office of the Registering Officer

A certificate of registration containing the following particulars is hereby granted under rule 6 (1) of the Sikkim Labour (Regulation of Employment and Conditions of Service) Rule, 2021.

1. Nature of work carried on in the establishment.
2. Names and addresses of Service Provider or Sub-Service Provider.
3. Nature of work for which workers are to be employed or are employed.
4. Maximum number of workers to be employed on any day through each service provider or sub service provider.
5. Other particulars relevant to the employment of workers.

Signature of Registering
Officer with seal.

FORM VII**(See sub-rule (2) of rule 6)****REGISTER/RECORD OF ESTABLISHMENTS**

Sl.No.	Registration No. and date	Name and address of the establishment registered	Name of the Principal Employer and his address	Type of business trade, industry manufacture or occupation which, is carried on in the establishment	Maximum No of workers directly employed on any day
1	2	3	4	5	6

Particulars of Service Provider/Sub- Service Provider and Workers.

Name and address of service providers or sub-service provider.	Nature of work for which workers are to be recruited or are employed	Maximum No. of workers employed on any day through a service providers or sub-service provider.	Probable duration of employment of workers	Remarks
7	8	9	10	11

FORM VIII

(see sub-rule (1) of rule 9)

**APPLICATION FOR REGISTRATION OF WORKER BY PRINCIPAL EMPLOYER/
EMPLOYER/ SERVICE PROVIDER/SUB-SERVICE PROVIDER/ OWNER OF
ESTABLISHMENTS.**

1. Name of worker
2. S/o .D/o w/o
3. Age
4. Gender
5. Ph.no/Mobile No
6. Religion.
7. Village,PO with PIN no
8. Police Station
9. Sub-division, District, State
10. Certificate from panchayat/councilor of the area concerned
11. Certificate / NOC from the concerned police station
regarding pendency or otherwise of any criminal complaint or
investigation against the applicant
12. Details of bank account of the applicant with IFSC Code
13. Date of Entry in Sikkim
14. Work place
15. Trade
16. Self Employed
17. If not self -employed, Name address & contact number of principal:
Employer/Employer/Service Provider/Owner of Establishment
18. Name of Next of Kin with contact number
19. Aadhar Card/Voter ID/ Others
20. Health status of worker / co-morbidities if any/ Blood group
21. Name, address and contact number of House owner in Sikkim
22. Panchayat /Council ward, name of GPU/DZUMSA/NP/MC/GMC
PO,PS,District, Sikkim-PIN Code (Temporary Address)
23. Registration Fees paid vide BR No./Date/ Rs.

Signature of Principal Employer/ Employer/ Service Provider/ Sub-Service Provider/ Owner of Establishments.

Date:

Place:

Signature of worker;

Acknowledgement Slip.

(To be filled in the office of the Registering Officer)

Date of Receipt of application
with Bank Receipt for fees.

Signature of Registering Officer.]

FORM IX

(see sub-rule (2) of rule 9)

APPLICATION FOR REGISTRATION OF INDEPENDENT INDIVIDUAL WORKER

1. Name of worker :
2. S/o .D/o w/o :
3. Age :
4. Gender :
5. Ph.no/Mobile No :
6. Religion :
7. Village,PO with PIN no :
8. Police Station :
9. Sub-division, District, State :
10. Certificate from panchayat/Councilor of the area concerned :
11. Certificate / NOC from the concerned police station
regarding pendency or otherwise of any criminal complaint or
investigation against the applicant :
12. Details of bank account of the applicant with IFSC Code :
13. Date of Entry in Sikkim :
14. Work place :
15. Trade/Designation :
16. Self Employed :
17. If not self –employed, Name address and contact number
of principal Employer/Employer/ Service Provider/Owner of
Establishment :
18. Name of Next of Kin with contact number :
19. Aadhar Card/Voter ID/ Others :
20. Health status of worker / co-morbidities if any/ Blood group :
21. Name, address and contact number of House owner in Sikkim :
22. Panchayat /Council ward, name of GPU/DZUMSA/NP/MC/
GMC PO,PS,District, Sikkim-PIN Code (Temporary Address) :
23. Registration Fees paid vide BR No./Date/ Rs. :

Date:

Place:

Signature of Independent Individual worker,

(To be filled in the office of the Registering Officer)

Date of Receipt of application with Bank Receipt for fees.

Signature of Registering Officer.

FORM X

(see sub-rule (1) of rule 10)

**Government of Sikkim,
Department of Labour**

Registration No...

Dated.....

Fee paid Rs.....

Registration Card.

Name:

Address:

Trade:

Date of Birth:

Name of Establishment/ House Owner:

Blood Group:

Date of issue:

Valid up to:

Signature and seal of Registering Officer:

PHOTO

Round seal

Signature and
Seal of Registering Officer.

Date of Renewal	Date B.R.No./	Amount	Date of expiry	Signature of A Registering Officer
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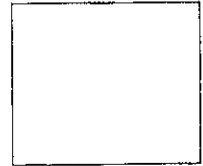
- 1.
- 2.
- 3.

ANNEXURE

The Registration Card of Worker is subject to the following conditions namely:-

1. The Registration Card of Worker shall be non-transferable.
2. The possession of registration card and identity card of labour or worker shall not confer any individual, status or claim or benefits of that of local resident of the State.
3. The Registration Card of individual worker granted shall be valid for a period of one year from the date of issue.
4. The Registration Card or Unique Identity Card should be surrendered in the office of the Registering Officer after completion of work or leaves Sikkim on vacation or forever, as the case may be.
5. The loss of Registration Card or Unique Identity Card must be reported to Police Station and Registering Officer
6. The Individual worker should abide with all instructions given by the Department of Labour from time to time.
7. The worker should produce original copy of Registration Card or Unique Identity Card whenever required by Registering Officer and other Officer equivalent to or above the rank of Inspector of the Labour Department.
8. That Porters of Bazaar should wear a **GREEN Color shirt with Token Identity number (Identity Number of Registration Card)** in red colour background with black colour inscribed size of 2 inches by 5 inches, as prescribed in **Form XB**
9. Every worker shall be entitled to benefits, facilities, protective clothing and wage as per law.

FORM X A
(see sub-rule (1) of rule 10)
LABOUR DEPARTMENT
GOVERNMENT OF SIKKIM



Identity Card NO.

Dated;

Name:

Address:

Trade:

Date of Birth:

Name of Establishment/ House Owner:

Blood Group:

Date of issue:

Valid up to:

Signature and seal of Registering Officer.

Terms and Conditions:

1. This Registration Identity Card is non-transferable and its loss must be reported immediately to police and issuing authority.
2. The possession of identity card of worker shall not confer any individual the right to claim for benefits entitled to the bonafide local resident of Sikkim.
3. The worker should produce original copy of Registration Card or Unique Identity Card whenever required by Registering Officer and other Officer equivalent to or above the rank of Inspector of the Labour Department while entering and exiting the State.
4. This ID card must be surrendered in the office of the Registering Officer after completion of work or leaves Sikkim on vacation or forever. .
5. This ID card is not a permit for entry into restricted and protected areas of Sikkim.

FORM X B
(see clause(n) of sub-rule (1) of rule 15)

LABOUR DEPARTMENT
GOVERNMENT OF SIKKIM

TOKEN NO.

FORM XI

(see sub-rule (2) of rule 10)

REGISTER /RECORD OF REGISTERED WORKERS

Sl.no.	Name	F/HName	Age/DoB.	Gender	Ph.No/ Mobile no.	Religion	Village, PO, PS, District-PIN Code
1.	2.	3.	4.	5.	6.	7.	8.

State of Origin	Certificate of Panchayat/ Counsilor (Yes/No)		Certificate From Police Station (Yes/No)		Bank a/c No. with IFSC Code
9	10	11	12	13	14

Date of Entry in Sikkim	Work place.	Trade/ Designation	Self Employed.	If not Self Employed, Name, address & contact number of principal employer/ Employer/Service Provider/Owner of Establishment	Name of Next to kin	Contact no. of Next to Kin	Aadhar Card/ Voter ID/ Others.
15	16	17	18	19	20	21	22

Health status of Worker/co- morbidityes. if any/ Blood Group.	Name, add and contact no of House owner in Sikkim	Registration No with date and validity.	Id Card No. date and validity.	Date of Renewal	BR No. date & Rs	Remarks (Complete/ Incomplete)	Photograph of worker.
23	24	25	26	27	28	29	30

FORM XII

(see sub-rule (2) of rule 16)

APPLICATION FOR RENEWAL OF REGISTRATION / IDENTITY CARD OF WORKER.

1. Name of worker.....
2. Address (Temporary).....
3. Registration number & Date.....
4. Date of expiry
5. Whether the token or Registration/ Id Card was suspended or revoked.....
6. Number & date of Bank Receipt enclosed

Place.....

Date.....

Signature of Applicant.

FOR OFFICIAL USE ONLY

Date of Receipt of the Application

Bank Receipt No. / Date

Seal/ Signature of Registering Officer.

FORM XIII

(see sub-rule (1) of rule 19)

Application For Licensing of Establishment/ Service Provider.

1. Name and address of the Establishment or Service Provider (including his Father's or Husband's name in case of individuals).
2. Date of birth and age (in case of individuals).
3. Particulars of establishment where workers are to be employed.
 - (a) Name and address of the establishment;
 - (b) Type of business, trade, industry, manufacture or occupation, which is carried on in the establishment;
 - (c) Number and date of certificate of registration of the establishment under the Act;
 - (d) Name and address of the principal employer.
4. Particulars of workers.
 - (a) Nature of work in which workers are employed or are to be employed in the establishment.
 - (b) Duration of the proposed contract work (give particulars of proposed date of commencing and completion)
 - (c) Name and address of the agent or manager of the establishment or service provider at the work site;
 - (d) Maximum number of workers proposed to be employed in the establishment on any date;
 - (e) Names and addresses of the Directors or Partners (in case of companies and firms).
 - (f) Name (s) and address (s) of the person (s) in-charge of and responsible to the company firm for the conduct of the business of the company or firm, as the case may be.
5. Whether the establishment or service provider was convicted of any offence within the preceeding five years. If so, give details.
6. Whether there was any order against the establishment or service provider revoking or suspending licence or forfeiting security deposits in respect of an earlier contract. If so, the date of such order.
7. Whether the establishment/service provider has worked in any other establishment within the past five years. If so, give details of the principal employer, establishment and Nature of Work.
8. Amount of licence fee paid- and date.

Declaration- I hereby declare that the details given above are correct to the best of my knowledge and belief.

Place
Date

Signature of Applicant
(Establishment/Service Provider/Sub-Service Provider)

Note: The application should be accompanied by bank receipt showing the payment of the prescribed fee if any.

(To be filled in the office of the Licensing Officer)
Date of receipt of application with crossed demand draft for fees.

Signature of the Licensing Officer.

FORM XIV

(see clause (a) of sub-rule (1) of rule 22)
DEPARTMENT OF LABOUR
GOVERNMENT OF SIKKM
Office of the Licensing Officer

Licence No.

Dated.....

Fee paid Rs.....

LICENCE

1. Licence is hereby granted to..... under section (13) of the Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021, subject to the conditions specified in the Annexure.
2. This licence is issued for doing the work of (nature of work to be indicated) in the establishment of (name of principal employer to be indicated) at (place of work to be indicated).
3. The licence shall remain in force till (date to be indicated).
4. For employment ofnumber of Workers.

Signature and Seal of licensing Officer.

RENEWAL
(SEE rule 14)

Date of renewal

Fee paid for renewal

Date of Expiry

- 1.
- 2.
- 3.

Date.....

Signature and Seal of licensing Officer.

ANNEXURE

The licence is subject to the following conditions:-

1. The licence shall be non-transferable.
2. The Number of workers employed in the establishment shall not, on any day, exceed the maximum number specified in the application.
3. Save as provided in these rules, the fees paid for the grant, or as the case may be, for renewal of licence shall be non-refundable.
4. The rate of wages payable to the workers by the service provider shall not be less than the rates prescribed under the Minimum Wages Act, 1948 or the rates fixed by the State Government for such employment where applicable and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.
5. (a) in cases where the workers employed by the service provider perform the same or similar kind of work as the workers directly employed by the Principal Employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workers of the establishment or service provider shall be the same as applicable to

the workers directly employed by the Principal Employer of the establishment on the same or similar kind of work:

Provided that in case of any disagreement with regard to the type of work, the same shall be decided by the Secretary whose decision shall be final:

(b) in other cases the wage rates, holidays, hours of work and conditions of service of the workers of the establishment or service provider or sub-service provider shall be such as prescribed in these rules.

6. Every workers shall be entitled to allowance, benefits, facilities, etc., as prescribed in the Act and the Rules.
7. No female workers shall be employed by any establishment or service provider before 6 A.M. or after 7 pm. against her will.
Provided that the employer ensures safe and secured working conditions within and outside the working premises including transport facilities beyond the normal or prescribed working hours.
8. The establishment or service provider or sub service provider shall notify any change in the number of workers or the conditions of work to the licensing officer.
9. The establishment or service provider or sub service provider shall comply with all provisions of the Act and these Rules.
10. A copy of the licence shall be displayed prominently at the premises where the workers are employed.

FORM XV

(see clause (b) of sub-rule (1) of rule 22)
REGISTER/RECORD OF LICENSE

Sl. No.	Registration No. and date	Name and address of the establishment registered	Name of the Principal Employer and his address	Type of business trade, industry manufacture or occupation which, is carried on in the establishment	Maximum No of workers directly employed on any day
1	2	3	4	5	6

Particulars of Establishment/ Service Provider/ and Workers

Name and address of Service Provider or Sub Service Provider	Nature of work for which workers are to be recruited or are employed	Maximum No. of workers employed on any day through a establishment or service provider	Probable duration of employment of workers.	Remarks
7	8	9	10	11

FORM XVI

(see sub-rule (2) of rule 24)
Application for Renewal of Licence

1. Name and address of the establishment or service provider.
2. Number and date of the licence.
3. Date of expiry of licence.
4. Whether the licence of the establishment or service provider or sub-service provider was suspended or revoked.
5. Number and date of the Bank Receipt enclosed.

Signature of the Applicant

Place.....

Date.....

(To be filled in the office of the Licensing Officer)

Date of receipt of the application with Bank Receipt No. and date.

Signature of the Licensing Officer.

FORM XVII

(see sub-rule (1) of rule 26)

(Monthly Return to be sent by the Principal Employer/Employer/Owners of Establishments to the Registering Officer under of Sikkim Labour (Regulation of Employment and Conditions of Service) Rules, 2021)

1. Name of Employer or Service Provider or Owner of establishment;
2. Name and address of the establishment or workplace;
3. Total no. of workers;
4. Details as under;

Sl.no.	Name of registered worker with ID. number.	Father / Husband's name.	Sex.	Designation.	Age./DoB.
1	2	3	4	5	6

Rates of daily wages	Date of employment.	Date on which ceased to be employed	Total number of days worked
7	8	9	10

Amount paid	Total overtime Worked	Amount paid	Deduction of amount from wages (if any)
11	12	13	14

Total expenses on Medical treatment incurred.	Other facilities.	Remarks.
15	16	17

DECLARATION: I do hereby declare that the details given above are correct to the best of my knowledge and belief.

Date:

Place

Signature of Employer/ Service
Provider/Sub-Service Provider/
Owner of Establishment or his
Authorized Representative.

FORM XVIII
(see sub-rule (1) of rule 27)
NOTICE OF CHANGE

Registration No.

Date.....

District.....

To,

The Registering Officer/Licensing Officer,
Department of Labour,
Government of Sikkim.

Sir/Madam,

Notice is, hereby, given that the following changes have taken place in respect of information forwarded to you in **Form III/Form VII/ Form XI / Form XV** and The Registration Certificate of Establishment or Registration Certificate of Service Provider or Registration Card or Identity Card of worker is forwarded, herewith to be returned after recording necessary changes.

Description of changes.

1.

2.

Amendment Fees paid vide B R No. / Date / Rs.

Place.....

Date.....

**Signature of workers / Employer/
Principle employer / Contractor /
Owner of Establishment / or a Person In charge.**

FORM XIX

(see sub-rule (1) (b) of rule 27)

PARTICULAR OF WORKERS WHO HAVE LEFT SIKKIM FOREVER.

To, The Registering Officer,
Department of Labour.
Government of Sikkim.

Sir,

The following mentioned registered workers have left Sikkim after completion of works forever. The Registration Card/Token / Id.Card is hereby surrendered in the office of the Registering Officer on.....

Name of Worker.....

Registration Card /Token or Id Card. . No.....

Place.....

Date.....

**Signature of Principal Employer
Employer or Service Provider or Sub-Service Provider or
Owner Of the establishment or applicant.**

Copy to.....

1. The Inspector under Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021 station
for enforcement.
2. The
Officer-in-Charge
Police Station, for information.

FORM XX**(see sub-rule (c) of rule 27)****(Monthly Return to be sent by the Service Provider/ Sub-Service Provider / Employer / Owner of establishment to the Registering Officer.**

1. Name of Employer or Service Provider or Owner of establishment;
2. Name and address of the establishment or workplace;
3. Total no. of workers;
4. Details as under;

Sl.no.	Name of registered worker with Registration number.	Father / Husband's name.	Sex.	Designation.	Age.
1	2	3	4	5	6

Rates of daily wages	Date of employment.	Date on which ceased to be employed	Total number of days worked
7	8	9	10

Amount paid	Total overtime Worked	Amount paid	Deduction of amount from wages (if any)
11	12	13	14

Total expenses on Medical treatment incurred.	Other facilities.	Remarks.
15	16	17

DECLARATION: I do hereby declare that the details given above are correct to the best of my knowledge and belief.

Date:**Place**

**Signature of Employer/ Service Provider/Sub
Service Provider/Owner of Establishment
or his Authorized Representative.**

FORM XXI
(see sub-rule (c) of rule 27)
PASS BOOK OF WORKER

Sl.No. Date of issue:

- (i) The name and address of worker ;
- (ii) Age/DoB;
- (iii) Blood Group;
- (iv) Trade;
- (v) Name and place of the establishment wherein the worker is employed with contact number of employer;
- (vi) the period of employment;
- (vii) the proposed rates and modes of payment of wages ; and
- (viii) such other particulars as may be prescribed;

Signature of Employer.

FORM XXII
(see clause (b) of sub-rule (2)of rule 27)

To,
The Joint Labour Commissioner,
Department of Labour ,
Govt of Sikkim,
Shram Bhawan,Sokaythang
P.O. Tadong,Gangtok-737102.

Dated:.....

Sub: Quarterly Report.

Sir/Madam,

As mandated by clause (b) of sub-rule (2) of rule 27 of Sikkim Labour (Regulation of Employment and Conditions of Service) Rules 2021, the Grievance Redressal Committee of _____ constituted under clause (a) of sub-rule (5) of rule 27 of above said Rules, convened quarterly meeting/ as and when required as case to case basis with required quorum on _____ at _____ and the minutes of meeting/ an Order enclosed herewith is forwarded for information and onward action ,please.

Thanking You,

Yours faithfully,
Signature of Grievance Redressal Committee,
Official Seal.

Encl; As above:

Copy to.....

1. The Inspector under Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021 station for enforcement.

FORM XXIII
(see clause (a) sub-rule (3) of rule 30)
SEIZURE MEMO

No.

Date:

In exercise of the power conferred on me under clause (iv) of sub-section (2) of section 21 of the Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021, I hereby seize the registers and records of following description belonging to Mr/Mrs/ Miss.....S/O/D/O/W/O..... resident ofwho has been detected in contravening the provisions of sub-section..... of sectionof the Sikkim Labour (Regulation of Employment and Conditions of Service) Act, 2021.

Particulars of registers & records seized.

Time.....

Date.....

Place.....

Name/ Address of Witness

Signature.....

INSPECTOR,
Department of Labour,
Government of Sikkim

FORM XXIV
(See clause (c) of sub-rule (3) of rule 30)
DELIVERY MEMO.

NO.

The registers and records seized with description as given under Seizure Memo No. / date. is hereby delivered to Mr /Mrs/. Miss..... S/o./ D/o. / W./o resident of

Time.....

Date.....

Place.....

Witness name and address.....

Received the said Registers & Records

Signature of receiver with date (with full name).....

INSPECTOR,
Department of Labour,
Government of Sikkim.

FORM XXV
(see rule 40)

Return to be sent by the Service Provider/Sub-Service Provider/ Employer /Owner of establishment to the Registering Officer

Half-Year Ending

1. Name and address of the Service Provider:
2. Name and address of the establishment:
3. Name and address of the Principal Employer:
4. Duration of agreement or letter of Intent From to
5. No. of days during the half-year on which.
 - (a) the establishment of the principal employer had worked
 - (b) the service providers or sub-service providers' of establishment had worked
6. Maximum number of workers employed on any day during the half-year:

Men	Women	Total
-----	-------	-------
7. (i) Daily hours of work and spread over:
 - (ii) (a) Whether weekly holiday was observed and on what day:
 - (b) if so, whether it was paid for:
 - (iii) No. of man-hours of overtime worked:
8. Number of mandays worked by:

Men	Women	Total
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9. Amount of wages paid:

Men	Women	Total
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10. Amount of deductions from wages, if any:

Men	Women	Total
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11. Whether the following have been provided:

(i) Residential accommodation;	(ii) Protective clothing;
(iii) Canteen;	(iv) Rest-room;
(v) Latrines and Urinals;	(vi) Drinking water
(vii) Creche;	(viii) Medical facilities with nursing staff and ambulance
(ix) First Aid Box	
(x) Transportation Facilities/ allowance:	

(If the answer is 'Yes' state briefly nature/standards provided)

DECLARATION: I do hereby declare that the details given above are correct to the best of my knowledge and belief.

Date:
Place

Signature of Employer or Service
Provider or Sub- Service Provider or Owner of
Establishment or his Authorized Representative.